

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

BRETT FEDER,

Defendant.

8:19-CR-163

**PRELIMINARY ORDER OF
FORFEITURE**

This matter is before the Court upon the United States of America's Motion for Preliminary Order of Forfeiture. [Filing 112](#). The Court has reviewed the record in this case and, being duly advised in the premises, finds as follows:

1. On December 19, 2019, Defendant Brett Feder entered into a Plea Agreement, [Filing 107](#), whereby he agreed to waive indictment by a grand jury; enter a plea of guilty to Counts 1 through 12 of an Information, [Filing 102](#); and admit to the Forfeiture Allegation.
2. Counts 1 through 10 charged the Defendant with violations of 18 U.S.C. § 1956. Count 11 charged the Defendant with violations of 21 U.S.C. §§ 841(a)(1) and (b)(1). Count 12 charged the Defendant with violations of 18 U.S.C. § 922(g)(1) and § 924(a)(2).
3. The Forfeiture Allegation in the Information alleged the following property was involved in the violations of 18 U.S.C. § 1956:
 - a. A Springfield XDS 9mm handgun, seized on or about May 15, 2019, from JD's Circle In, [REDACTED], Omaha, Nebraska 68105.
 - b. An Auto Ordinance 1911 .45 caliber handgun, seized on or about May 15, 2019, from the basement of JD's Circle In, [REDACTED], Omaha, Nebraska 68105.
 - c. A Beretta PX4 Storm .40 caliber handgun, seized on or about May 15, 2019, from the basement of JD's Circle In, [REDACTED], Omaha, Nebraska 68105.
 - d. A Colt Mark 4 .40 caliber handgun, seized on or about May 15, 2019, from the basement of JD's Circle In, [REDACTED], Omaha, Nebraska 68105.
 - e. A Smith & Wesson .32 caliber handgun, seized on or about May 15, 2019, from under the bar at JD's Circle Inn, [REDACTED], Omaha, Nebraska 68105.

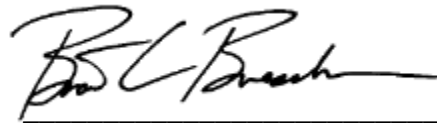
- f. A Vanguard .22 caliber handgun, seized on or about May 15, 2019, from under the bar at JD's Circle In, [REDACTED], Omaha, Nebraska 68105.
 - g. A Sig Sauer SP2022 .40 caliber handgun, seized on or about May 15, 2019, from under the bar at JD's Circle In, [REDACTED], Omaha, Nebraska 68105.
- 4. By virtue of Defendant's plea of guilty and his admission to the forfeiture allegation, Defendant has forfeited his interest in the subject property. Accordingly, the United States should be entitled to possession of said property pursuant to 21 U.S.C. § 853.
 - 5. The Motion for Preliminary Order of Forfeiture should be granted.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED as follows:

- 1. The Motion for Preliminary Order of Forfeiture, [Filing 112](#), is hereby granted.
- 2. Based upon the Forfeiture Allegation in the Information and Defendant's plea of guilty, the United States is hereby authorized to seize the property listed above in 3(a)-(g).
- 3. Defendant's interest in the property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).
- 4. The United States shall hold the currency in its secure custody and control.
- 5. Pursuant to 21 U.S.C. § 853(n)(1), the United States shall publish notice of this Preliminary Order of Forfeiture for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov. The United States may also, to the extent practicable, provide direct written notice to any person known to have an interest in the currency.
- 6. Pursuant to 21 U.S.C. § 853(n)(2), such notice shall provide that any person, other than Defendant, having or claiming a legal interest in any of the property must file a petition with this Court within 30 days of the final publication of notice or of receipt of actual notice, whichever is earlier.
- 7. Pursuant to 21 U.S.C. § 853(n)(3), a petitioner must sign the petition under penalty of perjury and set forth the nature and extent of the petitioner's right, title, or interest in the property and any additional facts supporting the petitioner's claim and the relief sought.
- 8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. 853(n), in which all interests will be addressed.

Dated this 7th day of February, 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written in a cursive style.

Brian C. Buescher
United States District Judge